

REMARKS

Applicants thank the Examiner for acknowledging the claim for priority under 35 U.S.C. § 119, and receipt of certified copies of the priority documents submitted June 9, 2004.

Applicants thank the Examiner for considering the reference cited with the *Information Disclosure Statement* filed January 22, 2004.

Applicants thank the Examiner for indicating that the Formal Drawings filed August 27, 2004 are accepted.

Status of the Application

Claims 1-20 are all the claims pending in the Application. Claims 1-6 and 18-20 stand rejected.

Allowable Subject Matter

Applicants thank the Examiner for indicating that claims 7-17 are allowed.

Indefiniteness Rejection

The Examiner has rejected claims 2, 5 and 20 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Claims 2, 5 and 20 are hereby editorially amended in a clarifying manner to provide correct antecedent basis for the features therein. As these amendments are merely clarifying in nature, no estoppel should apply. Further regarding claim 20, Applicants respectfully submit that this claim is dependent from claim 18, not claim 19 as the Examiner alleges. Thus, Applicants request withdrawal of this rejection.

Claim Rejections

The Examiner has rejected: (1) claims 1, 2, 4, 5, 18 and 19 under 35 U.S.C. § 102(b) as being anticipated by *Fukai* (US 6,332,370; hereinafter “*Fukai*”); and (2) claims 3, 6 and 20 under 35 U.S.C. § 103(a) as being unpatentable over *Fukai*. These rejections are respectfully traversed.

Applicants respectfully submit that *Fukai* fails to teach or suggest:

(1) independent claim 1 and 4’s recitation of both “a support that supports the vehicle lighting fixture within the device;” and “a partition member partitioning said outer space of said lighting fixture into a front space and a rear space around an outer circumferential portion of said lighting fixture, wherein the partition member is independent of the support;” and

(2) independent claim 18’s recitation of both a “means for supporting the vehicle lighting fixture within the device;” and a “means for partitioning said outer space of said lighting fixture into a front space and a rear space around an outer circumferential portion of said lighting fixture, wherein said means for partitioning is independent of said means for supporting the vehicle lighting fixture.”

In contrast, *Fukai* discloses a partition wall 14 that both partitions the mist evaluation device 10 and supports the vehicle lighting device 2 therein. Applicants respectfully submit that such a single element cannot teach or suggest the two independent supporting and partitioning elements (or means) recited in each of the independent claims 1, 4 and 18.

Thus, Applicants respectfully submit that independent claims 1, 4 and 18 are patentable over the applied reference. Further, Applicants respectfully submit that rejected dependent claims 2, 3, 5, 6, 19 and 20 are allowable, *at least* by virtue of their dependency.

Thus, Applicants respectfully request that the Examiner withdraw this rejection.

Conclusion

In view of the foregoing, it is respectfully submitted that claims 1-20 are allowable. Thus, it is respectfully submitted that the application now is in condition for allowance with all of the claims 1-20.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Please charge any fees which may be required to maintain the pendency of this application, except for the Issue Fee, to our Deposit Account No. 19-4880.

Respectfully submitted,



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